

REMARKS

This application has been carefully reviewed in light of the Office Action dated April 10, 2008. Claims 1, 3 and 6 to 15 are in the application, with Claims 1, 13 and 14 being independent. Claims 2, 4 and 5 have been cancelled. Claims 1, 3, 6, 13 and 14 have been amended herein. Reconsideration and further examination are respectfully requested.

Claims 14 and 15 were rejected under 35 U.S.C. § 101 as allegedly being directed to non-statutory subject matter. In particular, the Office Action alleges that these claims are directed to programs per se, and that the specification does not describe any corresponding computer program products. Without conceding the correctness of this rejection, Claim 14 has been amended to recite a “computer-executable program stored on a computer-readable medium”, in accordance with the guidelines in MPEP § 2106.01. Furthermore, page 21 of the specification lists several example storage media for supplying the program, including a floppy disk, a hard disk, a CD-ROM, a memory card, and others. With regard to Claim 15, the rejection is traversed. In particular, Claim 15 recites a computer-readable recording medium, in accordance with the guidelines at MPEP § 2106.01. Moreover, support for computer-readable media is found in the specification, as described above. Withdrawal of the § 101 rejection is therefore respectfully requested.

Claims 1 to 15 were rejected under 35 U.S.C. § 112, second paragraph, for indefiniteness. In particular, the Office Action alleges that in Claims 1, 13 and 14, the phrase “detecting operation performed on an apparatus” is unclear and confusing as to the required feature of the invention that it pertains to. Without conceding the correctness of this rejection, Claims 1, 13 and 14 have been amended to recite “detecting an operation

performed on an apparatus”. Moreover, the remainder of each of Claims 1, 13 and 14 is believed to clearly identify how the detection of the operation relates to the rest of the claim. Withdrawal of the rejection is therefore respectfully requested.

Claims 1 to 8 and 13 to 15 were rejected under 35 U.S.C. § 103(a) over U.S. Publication No. 2002/0184004 (Shizuka) in view of U.S. Patent No. 7,103,551 (King). Claims 9 to 12 were rejected under 35 U.S.C. § 103(a) over Shizuka in view of King and U.S. Patent No. 6,334,103 (Surace). Reconsideration and withdrawal of the rejections are respectfully requested.

The present invention generally concerns processing operations on an apparatus in a normal mode or a help mode. An operation performed on an apparatus is detected, and it is determined whether a state of the apparatus is a normal mode or a help mode when the operation is detected.

According to aspects of the invention, in a case that the state of the apparatus is the normal mode, motion corresponding to the operation is executed. On the other hand, if the state of the apparatus is the help mode, it is determined whether or not the operation designates an execution of motion. In a case where the operation does not designate an execution of motion, a description of the motion corresponding to the operation is phonetically output. In a case where the where the operation designates an execution of motion, the motion corresponding to the operation is executed.

By virtue of this arrangement, it is ordinarily possible for a user to hear audio descriptions and execute operations on an apparatus, without being required to switch out of a help mode.

Referring specifically to claim language, independent Claim 1 is directed to

a data processing method. The method includes an operation detection step of detecting an operation performed on an apparatus, and a state determination step of determining whether a state of the apparatus is a normal mode or a help mode when the operation is detected in the operation detection step. The method also includes a first execution step of executing motion corresponding to the operation in a case where it is determined in the state determination step that the state of the apparatus is the normal mode. In addition, the method includes an execution determination step of determining whether or not the operation detected in the operation detection step designates an execution of motion in a case where it is determined in the state determination step that the state of the apparatus is the help mode. The method also includes an audio output step of phonetically outputting a description of the motion corresponding to the operation in a case where it is determined in the execution determination step that the operation detected in the operation detection step does not designate the execution of motion. In addition, the method includes a storage step of storing in a storage device information regarding the operation in the help mode, and a second execution step of executing the motion corresponding to the operation based on the information stored in the storage device, in a case where it is determined in the execution determination step that the operation detected in the operation detection step designates the execution of motion.

Independent Claims 13 and 14 are directed to an apparatus and a program, respectively, substantially in accordance with the method of Claim 1.

The applied art is not seen to disclose or suggest the features of the present invention, and in particular is not seen to disclose or suggest at least the features of (i) determining whether or not an operation performed on an apparatus in a help mode

designates an execution of motion, (ii) phonetically outputting a description of the motion corresponding to the operation in a case where the operation in the help mode does not designate the execution of motion, and (iii) executing the motion corresponding to the operation based on stored information, in a case where the operation in the help mode designates the execution of motion.

As understood by Applicants, Shizuka is directed to a system for setting different voice types for reading text data of an electronic mail. In one aspect, a voice creation window includes a help button. See Shizuka, Abstract and paragraph [0235]. King is directed to a computer network which conveys a verbal description of a screen image over a network. See King, Abstract.

However, Shizuka and King are not seen to disclose or suggest at least the features of (i) determining whether or not an operation performed on an apparatus in a help mode designates an execution of motion, (ii) phonetically outputting a description of the motion corresponding to the operation in a case where the operation in the help mode does not designate the execution of motion, and (iii) executing the motion corresponding to the operation based on stored information, in a case where the operation in the help mode designates the execution of motion.

Surace has been reviewed and is not seen to remedy the above-noted deficiencies of Shizuka and King.

Therefore, independent Claims 1, 13 and 14 are believed to be in condition for allowance, and such action is respectfully requested.

The dependent claims are also submitted to be patentable because they set forth additional aspects of the present invention and are dependent from the independent

claims discussed above. Therefore, separate and individual consideration of each dependent claim is respectfully requested.

Turning to a formal matter, Applicants note that while the Office Action acknowledges Applicants' claim to foreign priority, the Office Action indicates that "some" certified copies of the priority document(s) have been received. Applicants believe that this is merely a typographical error, and respectfully request that the next Office Communication indicate that all certified copies of the priority documents have been received.

No other matters being raised, the entire application is believed to be in condition for allowance, and such action is courteously solicited.

No fees are believed due; however, should it be determined that additional fees are required, the Director is hereby authorized to charge such fees to Deposit Account 06-1205.

Applicants' undersigned attorney may be reached in our Costa Mesa, California office by telephone at (714) 540-8700. All correspondence should be directed to our address given below.

Respectfully submitted,

/Michael J. Guzniczak/
Michael J. Guzniczak
Attorney for Applicants
Registration No. 59,820

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3800
Facsimile: (212) 218-2200